



25,561

Anno Regni
GEORGGII II.
REGIS

Magnæ Britannia, Franciæ, & Hiberniæ,
DECIMO TERTIO.

At the Parliament begun and holden at *Westminster*,
the Fourteenth Day of *January*, Anno Dom. 1734.
in the Eighth Year of the Reign of our Sovereign
Lord GEORGE the Second, by the Grace of
God, of *Great Britain, France, and Ireland*
King, Defender of the Faith, &c.

And from thence continued by several Prorogations to the Fif-
teenth Day of *November*, 1739. being the Sixth Session of this pre-
sent Parliament.



L O N D O N,
Printed by *John Baskett*, Printer to the King's most
Excellent Majesty. 1740.

John Rogers

1800

George H. Rogers

1800

John Rogers
George H. Rogers
1800

John Rogers
George H. Rogers
1800

John Rogers
George H. Rogers
1800

Anno decimo tertio

Georgii II. Regis.

An Act for confirming and enlarging the Powers granted by His Majesty to the Governors and Guardians of the Hospital, for the Maintenance and Education of exposed and deserted young Children, by His most Gracious Charter, bearing Date the Seventeenth Day of *October*, in the Year of our Lord One thousand seven hundred and thirty nine, and to enable them to execute the good Purposes of the said Charter.



Whereas His Majesty, in Com- Preambles
passion to the Numbers of poor
Infants who are liable to be
exposed to perish in the Streets,
or be murdered by their indigent
and inhuman Parents, has been
most graciously pleased, by His
Royal Charter under the Great
Seal of Great Britain, to create
and establish a Corporation or
Body Politick, by the Name of

The Governors and Guardians of the Hospital for the Maintenance and Education of exposed and deserted young Children; which Corporation is by the said Charter declared to have perpetual Succession, and impowered to take, hold, purchase, receive, and possess Lands, Tenements, and Hereditaments, to the Value of Four thousand Pounds a Year, and Goods, Chattels, and Personal

Estate of what Nature and Value soever ; and to purchase or erect an Hospital for the Support, Maintenance, and Education of exposed and deserted Children ; and to hold Courts, to make By-laws, and to elect Governors and Officers, and to do other Acts for the Purposes of the said Charter : And whereas great Sums of Money have been given by the Governors of the said Hospital, and other Persons, to be applied to the charitable Uses before mentioned : And whereas by Reason of the Laws now in Force for the Relief of the Poor, many Difficulties may arise in carrying into Execution the good Intent of the said Charter, and that the granting other and further Powers to the said Corporation is requisite, effectually to answer the Purposes aforesaid ; may it please Your Majesty that it may be enacted ; and be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Corporation, called The Governors and Guardians of the Hospital for the Maintenance and Education of exposed and deserted young Children, and their Successors, shall have Power, by any Instrument under their Common Seal, to contract for, or to purchase any Lands, Tenements, or Hereditaments, provided the same do not exceed the Value of four thousand Pounds a Year in Fee, beyond Repizes, or to take or purchase for any Term or Terms of Years, or as Tenants, from Year to Year, or at Will, any Lands or Tenements whatsoever, to hold and enjoy the same, and to erect any House or Houses, Building or Buildings thereon, or to convert any House or Houses, Building or Buildings, which they shall so purchase or hire for that Purpose, to be an Hospital or Hospitals for the Reception of such poor and exposed Children, in such Manner as to the said Corporation shall seem meet.

Guardians may
purchase
Lands, &c.
not exceeding
4000 l. per Ann.

Taxes on
Lands, &c.
not to be raised
above what
was paid in
1739,

And be it further enacted by the Authority aforesaid, That all and every House or Houses, Lands, Tenements, or Hereditaments which shall at any Time hereafter be purchased or hired by the said Corporation, to be used or converted into an Hospital or Hospitals, as aforesaid, or on which any such Hospital or Hospitals, House or Houses shall be erected, shall at all Times hereafter, whilst such House or Houses, Lands, Tenements, or Hereditaments shall continue in the Possession of the said Corporation, be rated and assessed to all Rates and Assessments, at such yearly Rents or Value, and in such Proportion, as such House or Houses, Lands, Tenements,

ments, or Hereditaments were rated and assessed in the Year One thousand seven hundred thirty and nine, and shall not at any Time hereafter, so long as they shall continue in the Possession of the said Corporation, as aforesaid, be rated or assessed at any higher Value, notwithstanding any Improvement which shall be hereafter made by the said Corporation, of or upon the same, by erecting any such House or Houses, or other Building or Buildings thereon, or by converting any Building or Buildings into such Hospital or Hospitals, House or Houses; any Law, Statute, or Usage to the contrary notwithstanding.

though improved for the Use of the Corporation.

And that the said Corporation may not be prevented from erecting or enjoying such Buildings as may be most convenient for the Purposes aforesaid, by the Incapacity or legal Disability of any Person or Persons to convey, though on Terms which would be for the Benefit and Advantage of such Person or Persons; be it further enacted, That it shall and may be lawful to and for all Bodies Politick, Corporate, or Collegiate, Corporations aggregate or sole, Femes Covert, who are or shall be seized in their own Right, Trustees and Feoffees in Trust, Guardians and Committees for Lunaticks and Ideots, Executors, Administrators, and Guardians whatsoever, not only for or on Behalf of themselves, their Heirs, and Successors; but also for and on Behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunaticks, Ideots, Femes Covert, or other Person whatsoever, and to and for all and every Person and Persons, who are or shall be seized or possessed of, or interested in any Lands, Messuages, or Tenements, which the said Corporation shall judge to be proper to be by them purchased or hired, in order to the erecting such House or Houses, Building or Buildings, as aforesaid, or to the converting any House or Houses, Building or Buildings to their Use, as aforesaid, to contract for, sell, convey, or to farm let to the said Corporation, or their Successors, or such Persons as they shall appoint in Trust for them, all or any such Messuages, Lands, Tenements, or Hereditaments, or any Part thereof: Provided, That every such Contract so to be made, by or on Behalf of any Person, under any Incapacity to convey, be, before it is carried into Execution, approved of by the Lord Chancellor, the Lord Keeper, or the Lords Commissioners of the Great Seal of Great Britain, for the Time being, on a Petition or Petitions to him or them exhibited on Behalf of such Person or Persons for that Purpose; and the Lord Chancellor, the Lord Keeper, or

Femes Covert, &c. may sell Lands or Tenements to the Corporation.

Conveyances to be approv'd of by the Lord Chancellor, &c.

Lords Commissioners of the Great Seal for the Time being, are hereby empowered, authorized, and required in a summary Way, without any Bill filed, to examine into the Allegations of any such Petition, and to approve or disapprove of any such Contract, and to give such Direction for the Disposition of the Money arising therefrom, as to him or them shall seem just; and that all such Contracts, Agreements, Bargains, Sales, and Conveyances which shall be so made, as aforesaid, shall be good and valid in Law, to all Intents and Purposes whatsoever, not only to convey the Estate and Interest of the Person or Persons conveying, but also to convey all Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever, of their several and respective Cestuique Trusts, whether Infants, or Issue unborn, Lunaticks, Ideots, Femes Covert, or other Person whatsoever, and all Persons claiming, or to claim by, from, or under them; any Law, Statute, Usage, or any other Matter or Thing whatsoever, to the contrary thereof in any wise notwithstanding.

Money paid for Lands or Tenements, to Femes Covert, &c. to be laid out in other Lands made liable to the same Uses.

Provided always, and be it enacted by the Authority aforesaid, That all and every Sum and Sums of Money arising from or paid by the said Corporation to any Bodies Politick, Corporate or Collegiate, Corporations aggregate or sole, Femes Covert, who are or shall be seized in their own Right, Trustees or Feoffees in Trust, Guardians or Committees for Lunaticks or Ideots, Executors, Administrators, or Guardians, as aforesaid, as the Consideration or Purchase-money for any Messuages, Lands, Tenements, or Hereditaments for erecting such House or Houses, Building or Buildings for an Hospital or Hospitals for the Reception of such poor and exposed Children, shall be laid out in the Purchase of other Lands, Tenements, and Hereditaments, to be settled to the same Uses, and stand charged with, and liable to the same Charge or Charges as the Messuages, Lands, Tenements, or Hereditaments so sold and conveyed were settled, liable to and chargeable with; any thing in this Act contained to the contrary notwithstanding.

Corporation to maintain and educate as many Children as they think fit.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Corporation, or any Person or Persons authorized by them, to receive, maintain, and educate all or as many Children as they shall think fit, into or in any Hospital or Hospitals, House or Houses, which shall by the said Corporation be erected, purchased, or hired for such Purposes; and that it shall be lawful for all and every Person whatsoever to bring any Child or Children whatsoever to any such

such Hospital or House, as aforesaid, to the end that such Child or Children may be received, maintained, and educated by the said Corporation therein, in case they shall think proper to receive the same; and that no Church-warden, Overseer, or other Person whatsoever, shall by Virtue or Authority of any Law in being, for the Provision or Maintenance of the Poor, or for Bastard Children, stop, molest, or disturb any Person, in bringing such Child or Children to any such Hospital or House, as aforesaid, or in returning from the same; and that every Church-warden, Overseer, or other Person whatsoever, stopping, disturbing, or molesting any such Person or Persons, contrary to the Intent and Meaning hereof, shall forfeit the Sum of Forty Shillings for every such Offence; half of which shall be paid to the In-
on Penalty of 40 s.

And be it further enacted by the Authority aforesaid, That no Overseer or Overseers of the Poor, Church-warden or Church-wardens, or other Officer, appointed for the Care and Maintenance of the Poor, shall have or exercise any Power or Authority in any such Hospital or Hospitals, House or Houses, which shall be appointed for the Reception of such poor Children, as aforesaid, nor shall have any Authority to enquire concerning the Birth or Settlement of any such Child or Children, who shall be therein maintained and educated, or to place them out Apprentices, or to do any other Act, Matter, or Thing whatsoever, within such Hospital or Hospitals, House or Houses, Place or Places, appointed by the said Corporation for the Reception, Maintenance, or Education of such Children, as aforesaid, save only to collect or levy such Taxes, as they are or shall be by any Act of Parliament impowered to levy and collect.

And be it further enacted, That no Child or Children, Nurse or Nurses, Servant or Servants, received, maintained, educated, or employed within any such Hospital or Hospitals, Place or Places, which shall be built, purchased, hired, or appointed by the said Corporation for the Reception, Maintenance, or Education of such poor Children, as aforesaid, shall gain any Settlement in the Parish or Parishes, Place or Places, where such Hospital or Hospitals, House or Houses, Place or Places are situate, by virtue of such their Reception, Continuance, Hiring, or Residence in such Hospital or Hospi-
No Parish-Officer shall have any Authority in the Hospital.
No Settlement by being educated in the Hospital.

No Fees due
to any Parish
for Christen-
ings or Burials.

Corporation to
provide Mini-
ster and Burial-
ground.

Persons edu-
cated in the
Hospital, how
to be employ-
ed.

Children may
be let for Hire,
to work abroad
for the Use of
the Hospital.

tals, House or Houses, Place or Places ; any Law, Cu-
stom, Usage, Matter, or Thing whatsoever, to the con-
trary thereof in any wise notwithstanding. Nor shall any
Mortuary Fee, or Reward whatsoever, be due or paya-
ble to any Rector, Vicar, Curate, Minister, Clerk, Ser-
ton, or other Officer of any Parish or Parishes, where
such Hospital or Hospitals, House or Houses, Place or
Places shall be situate, for or on Account of the Christ-
ening, Death, or Burial of any Child or Children, who
shall be so maintained and educated by the said Corpo-
ration, as aforesaid, who shall be christened, die, or be
buried during their Continuance under the Care of the
said Corporation : And the Offices of Baptism and Bu-
rial of all such Children, shall be performed by such Mi-
nister or Ministers of the Church of England, as the said
Corporation shall agree with and employ for that Pur-
pose ; and no other Person or Persons whatsoever shall
be obliged to perform the same : And the said Corpora-
tion shall provide sufficient Burial-ground for all Chil-
dren dying under their Care ; and shall not be intitled
to make use of any Church-yard or Burial-place belong-
ing to the Parishioners of any Parish, for the burying
of any such Child or Children.

And be it further enacted by the Authority aforesaid,
That it shall and may be lawful for the said Corpora-
tion, or any Person or Persons who shall be by them
authorized and appointed, to detain and employ in any
Sort of Labour or Manufacture, or in the Sea Service,
all and every such Child or Children by them so main-
tained and educated, till such Children shall attain the
respective Ages following ; that is to say, Until every
such Male Child shall attain his Age of Twenty four
Years, and every such Female Child shall attain her Age
of Twenty one Years, or shall be married ; or to bind
any such Child or Children Apprentice or Apprentices to
any Person or Persons who shall be willing to take the
same, or to place them out as Servants, or as Mari-
ners, to any Husbandman, Master, or Captain of a
Ship, or other Person whatsoever, till their said respec-
tive Ages, as aforesaid ; and that every such Binding
or Hiring shall be as effectual to all Purposes, as if
such Child were of full Age, and by Indenture or other-
wise had bound or hired themselves.

And further, That it shall be lawful to the said Corpo-
ration, or any Person or Persons by them authorized and
impowered for that Purpose, at any Time or Times, so
long as any Child or Children shall continue to be main-
tained by the said Corporation, to hire or let out such
Child

Child or Children to any Person or Persons who shall desire to contract with the said Corporation, for the Work and Labour of such Child or Children, and to receive and take to the Use of the said Corporation, the Profit arising for such their Work and Labour, and to give such reasonable Correction to any such Child or Children for their Idleness, Disobedience, or Misbehaviour, as they shall think proper; and that every such Child or Children shall be under the Direction and Controul of the said Corporation, so long as they shall continue to maintain such Child or Children.

And be it further enacted by the Authority aforesaid, That the President, Vice-presidents, and Treasurer of the said Corporation, shall respectively continue as such, President, &c. to be chose annually. until there shall be others chosen into their respective Offices; and that for that Purpose there shall, on the second Wednesday, which shall be in the Month of May next, and so on every second Wednesday in the Month of May yearly, for ever, be a general Meeting of the Governors and Guardians of the said Hospital; and that the Governors and Guardians then present, shall proceed to the Election of a President, Six Vice-presidents, and a Treasurer; which Election shall be by Ballot, and determined by the Majority of the Votes of the Governors and Guardians present at such Election; and in case it shall happen at any Time or Times hereafter, that the said Election cannot be made or compleated on the second Wednesday in the Month of May next, or in any other Year, that then, and as often as it shall so happen, such new Election shall be made within the Space of Forty Days, to be computed from such second Wednesday in May; and for that Purpose the Majority of the Governors and Guardians then present, shall have Power to adjourn such Meeting to any Day within such Forty Days; Notice of which Adjournment, as also of all other general Meetings, shall be given in the Gazette, and also (in case the said Governors and Guardians present at any Meeting, or the major part of them shall so direct) in any other publick News-paper at least Three Days before such general Meeting, whether annual, quarterly, or special. And the Persons elected at any such Meeting or Meetings, by Ballot, as aforesaid, by the Majority of the Votes of the Governors and Guardians present at such Meeting, shall be, and are hereby impowered to act as President, Vice-presidents, and Treasurer of the said Corporation for the Year next ensuing such their Election, and till others shall be elected into the said Offices.

On Death of
President, &c.
Others to be
chosen:

Provided; That when and so often as any Vacancy or Vacancies shall happen by Death of any of the Presidents, Vice-presidents; or Treasurers of the said Corporation; the Governors and Guardians of the said Corporation, or the major Part of them; shall have Power, at the next General or Quarterly Court that shall be kept and held by them, after such Vacancy or Vacancies shall happen, to proceed to a new Election of a President, Vice-president, or Treasurer, in the Place of the Person or Persons deceased; all which Elections shall be by way of Ballot, in such Manner, as aforesaid: And for the better ordering and managing the Affairs of the said Corporation, be it further enacted, That the Governors and Guardians of the said Corporation for the time being, or the major Part of them, are hereby impowered, at any of the General or Quarterly Courts, which shall, from time to time, be kept and held by them, to chuse and appoint One or more Committee or Committees, as Occasion shall require for transacting such Business, and auditing the Accounts of the said Corporation, and to require the Treasurer, Officers, and Servants of the said Corporation, to account at such Times, and in such Manner, as they shall direct, and for such other Purposes as they shall think fit; and at the said General and Quarterly Courts shall have Power to examine, allow, and pass such Accounts, and to make such By-laws as they shall think proper, for the better Government of the said Corporation: Provided, That no By-law so made shall have any Force or Effect till approved of by the next Quarterly General Court; and provided also, That the same be not inconsistent with the Laws and Statutes of this Realm.

Proviso.

Provided always, and it is hereby further enacted by the Authority aforesaid, That none of the Governors and Guardians of the said Corporation, or any of their Successors, who shall hereafter be elected Governors and Guardians of the said Corporation, or any Officers of the said Corporation, shall be obliged to take the Sacrament of the Lord's Supper, or any Oath or Oaths whatsoever, to qualify them to execute the Office of President, Vice-president, Treasurer, or any other Office, or to discharge any Trust relating to the said Corporation; any Statute, Law, Custom, or Usage, to the contrary hereof in any wise whatsoever notwithstanding.

Governors
may remove
Officers and
Servants at
Pleasure.

And be it further enacted by the Authority aforesaid, That such of the Governors of the said Corporation for the Time being, who shall be present at any of the said General Courts or Meetings, or the major Part of them,

or

or any Committee or Committees chosen by the said Corporation, and impowered by them so to do, shall have Power from Time to Time, and at all Times, to elect, suspend, remove, or displace any Officer or Officers, Servant or Servants belonging to the said Corporation, at their Discretion, without any Cause assigned.

And be it further enacted, That in case any inferior Officer, or Servant, shall refuse to account, as aforesaid, ^{Servants obliged to account,} or to produce any Papers, Books, Vouchers, or other Effects whatsoever, which he, she, or they shall be intrusted with, by or on Account of the said Corporation, that it shall and may be lawful for any Two of His Majesty's Justices of the Peace of the County, Liberty, or Franchise where such Servant shall be found, on Complaint made on the Part of the said Corporation, to commit any such inferior Officer or Servant to the common Gaol of the said County, Liberty, or Franchise, there to remain without Bail or Mainprize, until he or she hath made a true Account, and satisfied and paid so much, as upon the said Account shall be remaining in his or her Hands, and has delivered up to the said Corporation such Papers, Books, Vouchers, or other Effects.

And be it further enacted, That this Act shall be a publick Act, ^{Publick Act.} and be so deemed and taken to be, and shall and may in all Cases be given in Evidence on the General Issue, and not be specially pleaded.

F I N I S.



